

# SNOW HILL POLICE DEPARTMENT

## PERSONNEL DIRECTIVE

### Probation - Officers

<b>Distribution:</b>		All Officers		<b>Index:</b>		PER 06.01	
				<b>MD Code:</b>		PUB. SAFETY § 2-403	
<b>Issued:</b>	01/20/2017	<b>Revised:</b>	N/A	<b>Reviewed:</b>	N/A	<b>Next Review:</b>	04/20/2018

#### .01 Purpose

To establish a standard and consistent evaluation process for newly-hired officers to determine if they should be released from their probationary period.

#### .02 Policy

SHPD supervisors or commanders will evaluate all newly-hired officers during their probationary period to determine if their conduct and performance is satisfactory to maintain employment as an officer. The summary of these evaluations will be presented to the Chief to determine if the probationary officer should continue employment with the SHPD.

#### .03 Definitions

CHIEF: the Chief of Police

Commander: a commissioned officer

SUPERVISOR (non-commissioned officer (NCO): the probationary officer's immediate supervisor.

OFFICER: a probationary police officer.

#### .04 References

[MD. CODE ANN., PUB. SAFETY § 2-403.](#)

#### .05 Procedures

##### A. Probationary Period

1. The two-year probationary period for a newly-hired officer is mandated by statute and cannot be extended beyond two years.
2. The probationary period consists of the following three phases:
  - a. Police Academy training (approximately six months);
  - b. Field Training Officer program (approximately eight weeks); and
  - c. Field assignments (approximately 16 months).

3. An officer must successfully complete all three phases before being released from probation.
4. An officer may be discharged during his probationary period for any cause which the Chief deems sufficient.

**B. Performance During Probationary Period**

1. Each officer will be observed and evaluated regularly by supervisors within his unit.
2. Supervisors will ensure that:
  - a. Notable aspects of the probationary period – both positive and negative – are thoroughly and objectively documented; and
  - b. Training, both remedial and for career development, provided to the officer during the probationary period is documented.
3. If a supervisor observes unsatisfactory performance or conduct from an officer and believes that additional counseling or training would serve no constructive purpose, that supervisor will forward a report to the Chief, through official channels, which includes details of unsatisfactory performance or conduct, and a recommendation for rejection on probation.
  - a. All levels of command will endorse this report.
  - b. Upon receipt, the Chief will notify a commissioned officer or in the absence of a commissioned officer, an NCO to convene a Probation Board (see section D, below) within five days to review the facts and prepare a recommendation for the Chief.
  - c. After a review of all documentation, the Chief will determine if the officer's employment will continue.

**C. End of the Probationary Period – Commander's Responsibilities**

1. Seven months before an officer is scheduled to complete his probationary period, his commander or NCO will:
  - a. Gather copies of all documentation from the Academy and the Field Training program;
  - b. Direct the officer's supervisor to prepare a report outlining the officer's performance and conduct; and
  - c. Personally complete a Probationary Officer Evaluation (Form 160) which includes a recommended action of:
    - (1) "Recommendation to Retain as Permanent Employee"; or
    - (2) "Recommendation for Rejection on Probation," which requires the commander to attach documentation to support this recommendation.

**D. Probation Board**

1. Each Board will be comprised of a:
  - a. commissioned officer, who will be the Chair of the Board;
  - b. NCO; and
  - c. officer, who holds a rank below corporal.

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2. Seven months before an officer is scheduled to complete his probationary period, the Chief will provide the probationary officer's name to a Commander, who will chair that officer's Board.
3. The Chair will:
  - a. contact the officer's supervisor and advise him of the date, time and location of the Board and who the Board members will be; and
  - b. ensure the Board convenes approximately 180 days before the end of a o f f i c e r's probationary period.
4. At least five days before the Board convenes, the employee's supervisor will forward to the Chair:
  - a. the Form 160;
  - b. the report prepared by the officer's supervisor; and
  - c. all Training Academy and Field Training documentation.
5. The officer and his supervisor will appear before the Probation Board.
6. The supervisor will:
  - a. serve as the presenter of facts;
  - b. provide a verbal summary of the information forwarded to the Board and any other relevant information.
7. At the conclusion of the presentation, the supervisor will recommend that the officer should be:
  - a. retained in a permanent status at the completion of the probationary period; or
  - b. rejected on probation.
8. The officer will be afforded the opportunity to address the Board and may present additional information on his own behalf.
9. The Board will:
  - a. confer at the conclusion of the presentation;
  - b. notify the officer that he will be:
    - (1) retained in a permanent status at the completion of the probationary period;
    - (2) rejected on probation; or
    - (3) required to appear before an additional Board that will be convened no later than 30 days prior to the end of the probationary period, to allow the officer to improve his performance or conduct, and participate in remedial training. In such cases, the officer will:
      - (a) be notified he has a specified time period to improve his performance or conduct to avoid rejection on probation;
      - (b) be required to prepare a 90-day Performance Improvement Plan and submit it to his commander for his endorsement within five days; and
      - (c) include in the Performance Improvement Plan the steps he will take to improve his performance and describe any support or assistance he needs from the SHPD to ensure success.

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- c. Forward all reports and documentation, through official channels, to the Chief.

**E. Officers Who Participate in a Performance Improvement Plan**

1. An officer who is initially recommended for rejection on probation by his supervisor with Board concurrence will follow the procedures outlined in paragraph (D)(10)(b)(3), above.
2. At least 30 days prior to the end of the officer's probationary period:
  - a. the officer's supervisor will complete a new Form 160 with a new Recommended Action, submit it to the Chair and include any documentation related to the 90-day Performance Improvement Plan; and
  - b. the Chair will notify the officer's supervisor of the date, time and location for the Board meeting.
3. The Board will be comprised of the same three original members, if possible.
4. The procedures outlines in paragraphs (D)(5) through (D)(10) will be followed.

**F. Final Review and Notification**

1. In cases where the Chief receives a recommendation that an officer be rejected on probation, the Chief will review the case and make a final decision as to whether the officer is retained or rejected on probation. The Chief will notify Human Resources at Town Hall and the affected employee of his decision.
3. The decision of the Chief may not be administratively appealed.

- G. Nothing in this written directive will prevent the immediate termination or suspension (with or without pay) of a probationary officer in cases of serious misconduct, as defined in the SHPD Disciplinary Policy.

Approved:

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Thomas G. Davis  
Chief of Police

02/28/2017